

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FISHER SIGERSON MORRISON LLC,

Plaintiff,

- against -

KARI SIGERSON and MIRANDA MORRISON,

Defendants.
----- X

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/20/11

11-cv-3440 (CM)

**ORDER TO
SHOW CAUSE FOR
TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY
INJUNCTION**

(Vacated)

Upon the affidavit of Effie Petropoulos, sworn to May 19, 2011 and the exhibits annexed thereto, the affirmation of Jonathan E. Minsker, dated May 19, 2011 and the exhibits annexed thereto, the supplemental affirmation of Jonathan E. Minsker, dated May 20, 2011, and upon the accompanying Summons and Complaint, dated May 19, 2011, and the Memorandum of Law, dated May 19, 2011 it is hereby:

ORDERED, that the above-named defendants, Kari Sigerson and Miranda Morrison, shall show cause before the Honorable Colleen McMahon at Room ____ of the United States Courthouse, 500 Pearl Street, New York, New York on May __, 2011, at _____ o'clock in the _____ thereof, or as soon thereafter as counsel may be heard, why an order should not be issued and entered, pursuant to Rule 65 of Federal Rules of Civil Procedure:

(i) preliminarily enjoining and restraining defendants, their agents, employees and all persons acting in concert with defendants, from taking any action to promote, publicize or conduct the sale of SIGERSON MORRISON brand merchandise that Defendants have scheduled

for May 20, 2011 through May 22, 2011 at the Steven Sclaroff store, located at 44 White Street, New York, New York not authorized by plaintiff (the "Unauthorized Sale");

(ii) directing defendants to inform Steven Sclaroff and all public relations firms, internet sites and media outlets that have reported the Unauthorized Sale that plaintiff is the sole and exclusive owner of the SIGERSON MORRISON mark, that the Unauthorized Sale was not authorized by the plaintiff, and that the Unauthorized Sale has been cancelled;

(iii) enjoining and restraining defendants, their agents, employees and all persons acting in concert with defendants, from taking any action to ~~schedule, promote, publicize or conduct any sale similar to~~ the Unauthorized Sale and from using the SIGERSON MORRISON ~~trademark or trade name, or any derivative thereof, in connection with any products or services that might cause confusion with the products and services offered by plaintiff, including, but not limited to, the sale of leather goods, namely shoes, boots and handbags, and~~

(iv) for such other relief as this Court deems just and proper.

IT IS FURTHER ORDERED that, pursuant to Rule 65, pending the hearing and determination of plaintiff's motion for preliminary injunctive relief, defendants, their agents, employees and all persons acting in concert with defendants, are hereby restrained and enjoined from taking any action to promote, publicize or conduct the Unauthorized Sale or any similar sale, including, but not limited to, using the SIGERSON MORRISON trademark or trade name, or any derivative thereof, in connection with any products or services that might cause confusion with the products and services offered by plaintiff, including, but not limited to, the sale leather goods, namely shoes, boots and handbags.

IT IS FURTHER ORDERED, that service of a copy of this Order to Show Cause, together with all of the supporting papers upon which it is based, as well as the Summons and

The sale is enjoined until the Court rules further.

Complaint herein, be made upon defendants or their counsel by electronic mail, hand delivery or overnight delivery, on or before the ____ day of ____, 2011, which shall be deemed good and sufficient service thereof; and

IT IS FURTHER ORDERED that answering papers, if any, shall be served upon plaintiff's attorneys Kasowitz, Benson, Torres & Friedman LLP, 1633 Broadway, New York, New York 10019, by electronic mail, hand delivery or overnight delivery on or before the ____ day of ____, 2011, which shall be deemed good and sufficient service thereof.

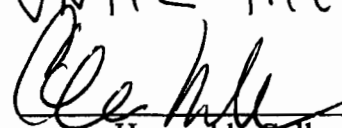
IT IS FURTHER ORDERED that reply papers, if any, shall be served upon defendants or their counsel by electronic mail, hand delivery or overnight delivery, on or before the ____ day of ____, 2011, which shall be deemed good and sufficient service thereof.

IT IS FURTHER ORDERED THAT THIS ORDER

DATED: New York, New York
May 20, 2011

WILL REMAIN IN FORCE

UNTIL THE COURT RULES
FURTHER.



Honorable Colleen McMahon
United States District Judge